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Attorneys for the Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

MARTIN J. WALSH,	)	Case No. 3:16-cv-2293-JR
Secretary of Labor,	)	
United States Department of Labor,	)	
	)	<b>DECLARATION OF NORMAN E.</b>
Plaintiff,	)	<b>GARCIA</b>
	)	
v.	)	
	)	
SENVOY, LLC; DRIVER RESOURCES,	)	
LLC; ZOAN MANAGEMENT, INC.; and	)	
GERALD E. BRAZIE, JR.,	)	
	)	
Defendants.	)	

I, Norman E. Garcia, make this declaration, under the penalty of perjury, in support of the Secretary's Notice of Results of Defendants' Document Productions and Debtor's Exam and Contempt Remedies Sought.

1. I possess personal knowledge of the matters set forth in this declaration and I am competent to testify to the same, and if called to testify my testimony would be as stated in this declaration.

2. I am employed as a Senior Trial Attorney in the Office of the Solicitor, Region IX, for the Department of Labor, an Agency of the United States government. My business address is 90 Seventh St. Rm. 3-700, San Francisco, California 94103.
3. I am one of the Office of the Solicitor's attorneys assigned to the Senvoy, LLC; Driver Resources, LLC; Zoan Management, Inc.; and Gerald E. Brazie, Jr.'s, also known as Jerry Brazie ("Defendant Brazie"), Fair Labor Standards Act ("FLSA") case.
4. Despite having 30 days to gather documents, Defendants only produced 765 pages of documents on September 24, 2021, consisting of 539 pages of bank statements from 2016-2020 for *just* Senvoy, and 172 pages of 2016-2018 tax returns. At this time, Defendants did not produce bank statements for other companies nor did they produce any bank statements for Senvoy for 2021.
5. On September 24, 2021, Brazie also produced a one-page "Personal Financial Statement" at Bates stamp number ("BSN") 23 without any supporting documentation for the numbers therein.
6. After the Secretary's strenuous objection to this lack of production, Defendants produced 6,341 more pages of documents of general ledgers, loan agreements and promissory notes, property tax records, receiver sale and more bank statements and tax returns a week later.
7. From October 11, 2021 to November 4, 2021, Defendants produced over 620 additional pages with the documents identifying the value of Senvoy's vehicles not being produced until October 28, 2021.
8. Despite repeated previous requests from the Secretary, Defendants only produced the following critical documents and information to the Secretary on *November 3, 2021*: loan documents identifying the real property that TKM Land LLC actually purchased using the loan from MBank that has been taken over by Sunstone Business Finance ("Sunstone") that is the subject of more than a \$5.14M debt; documents for Northwestern Mutual Life that showed that Brazie overstated the amount of these insurance policies on his Personal Financial Statement by \$1.434M and *understated* their cash value by over \$55K; an e-mail from his counsel that

1 identified that Brazie made an error in his Declaration of Financial Status signed under penalty  
2 of perjury on November 11, 2020, that his loan debt to Sunstone at the time was \$3.5 million.

3 9. To date, Defendants have been produced no documents of the alleged Ludwick loan or any  
4 payments thereunder.

5 10. The Secretary has received other credit card statements that push the Brazies' total credit card  
6 purchases past \$10K a month with meal charges that exceed \$2,750 a month.

7  
8 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
9 knowledge.

10 Executed: November 4, 2021

11  
12 /s/ Norman E. Garcia  
13 NORMAN E. GARCIA  
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